

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ZACH HILLESHEIM,

Plaintiff,

vs.

BARRINGTON SHOPPES AT 370, L.L.C.,

Defendant.

8:18CV290

ORDER

Plaintiff filed this Complaint on June 25, 2018. As Plaintiff did not provide any indication that Defendant had been served, on October 2, 2018, the Court entered an order directing Plaintiff to show cause why Defendant was not served within 90 days after the Complaint was filed, pursuant to [Federal Rule of Civil Procedure 4\(m\)](#).

Plaintiff timely filed a Response ([Filing No. 8](#)) to the Court's show cause order. Plaintiff states service was first attempted by mailing a summons and complaint to the Douglas County Sheriff's Office on June 29, 2018, for service on Defendant, and that the sheriff made two unsuccessful service attempts on July 2 and July 11, 2018. ([Filing No. 6](#)). Thereafter, Plaintiff "located a potential alternative service address for Defendant and once again attempted to complete service via the Douglas County Sheriff's Office," but that the sheriff attempted service at the original address between September 28, and October 3, 2018. ([Filing No. 8 at p. 2](#); [Filing No. 7](#)). Plaintiff is now requesting an extension of time to January 1, 2019, to complete service on Defendant.

Plaintiff's showing of good cause is extremely thin; nevertheless the Court will extend the service deadline for a short period of time in this case. Plaintiff initially received notice nearly three months ago that Defendant was not able to be served at the 17468 Orchard Ave. address. Plaintiff thereafter attempted to have Defendant served at a different address. However, Plaintiff did not return the initial summons unexecuted nor did Plaintiff request new summons to be issued from the Clerk of Court with the alternative address. Plaintiff must request new summons from the Clerk of Court bearing the address at which Defendant is to be served. Additionally, Plaintiff has shown no reason why the service deadline should be extended to January 1, 2019. Instead, the Court finds a 30-day extension is reasonable under the circumstances. Accordingly,

IT IS ORDERED:

1. Plaintiff shall have an extension of time to **November 16, 2018**, to serve Defendant.
Plaintiff must request new summons to be issued from the Clerk of Court.
2. The show cause deadline is terminated.

Dated this 17th day of October, 2018.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge